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Attorney for Defendant,
STEFAN KIRKEBY

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA.

Plaintiff,

v.

STEFAN KIRKEBY,

Defendant.

CASE NO.: 1:22-CR-00228-JLT-SKO

STIPULATION TO CONTINUE
SENTENCING DATE OF APRIL 21, 2025,
AND [PROPOSED] ORDER.

Date: April 21, 2025
Time: 9:00 a.m.
Hon. Jennifer L. Thurston

TO THE HONORABLE COURT AND TO THE ASSISTANT UNITED STATES
ATTORNEY:

Defendant, Stefan Kirkeby, by and through his Attorney, Anthony P. Capozzi and the
United States, by and through Assistant United States Attorney, Laurel Montoya, stipulate to
continue the sentencing date of April 21, 2025, to June 30, 2025. Said stipulation is based upon
the Declaration of Anthony P. Capozzi.

I, Anthony P. Capozzi, declare:

1. This attorney represents the defendant, Stefan Kirkeby.
2. On February 21, 2023, Mr. Kirkeby entered a plea of guilty to Count One of the
Indictment. (Docket # 42)

3. ON May 12, 2023, this attorney substituted in as attorney for the defendant, Stefan Kirkeby. (Docket # 47)
4. On November 13, 2024, this Court denied Mr. Kirkeby's motion to withdraw his plea. (Docket # 83)
5. The final Presentence Report was received on January 13, 2025, and on January 23, 2025, the sentencing date was continued to April 12, 2025. (Docket # 89)
6. This attorney has been in a jury trial in People v. Rodriguez, Case No. M19925929, in the Fresno Superior Court from March 20, 2025, to April 2, 2025, and in a day long sentencing in Sacramento before Judge Dale A. Drozd, in United States v. Agricultural Contracting, dba American Labor Alliance, Marcus Asay, and Antonio Gastelum, Case No. 1:19CR00003-DAD-BAM, on April 10, 2025.
7. This attorney has not had enough time to prepare for sentencing and for a motion to reconsider the denial of the motion to withdraw the defendant's plea.
8. Mr. Kirkeby's wife has recently returned to the United States, but this attorney has not had the opportunity to interview Mrs. Kirkeby to prepare for the court date of April 21, 2025.
9. Both parties have agreed to continue the sentencing date to June 30, 2025, at 9:00 am.

Dated: April 11, 2025,

By: /s/ Anthony P. Capozzi
ANTHONY P. CAPOZZI, Attorney for
STEFAN KIRKEBY

Dated: April 11, 2025,

By: /s/ Laurel Montoya
LAUREL MONTOYA, ASSISTANT
UNITED STATES ATTORNEY

ORDER

Pursuant to the stipulation of both parties, it is hereby ordered that the Sentencing Date of April 21, 2025, be vacated and a new Sentencing Date be set for June 30, 2025, at 9:00 am.

IT IS SO ORDERED.

Dated: April 11, 2025

, By:


UNITED STATE DISTRICT JUDGE